

NOTICE OF VIOLATION

Northeast Nuclear Energy Company
Millstone Nuclear Plants, Units 2 & 3

Docket Nos: 50-336, 50-423
License Nos: DPR-65, NPF-49

During an NRC inspection conducted March 17-21, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG 1600, the violations are listed below:

1. 10 CFR 50.65(b)(1) and (2) require, in part, that the scope of the monitoring program specified in Section (a)(1) shall include safety-related and non-safety related structures, system, and components (SSCs), as follows: (a) safety-related SSCs and (2) non-safety related SSCs: (i) that are relied upon to mitigate accidents or transients or are used in plant emergency operating procedures (EOPs); or (ii) whose failure could prevent safety-related SSCs from fulfilling their safety-related function; or (iii) whose failure could cause a reactor scram or actuation of a safety-related system.

Contrary to the above, as of November 18, 1996, for Unit 3 the facility failed to include the following SSCs within the scope of the maintenance rule:

- fuel assemblies - safety-related
- fuel handling system - safety-related
- alternate shutdown panel - safety-related
- radiation monitoring panel - safety-related
- emergency lighting battery pack support - safety-related
- tunnel under the service building - safety-related
- fire protection - mitigate accidents or transients
- post accident sampling - used in EOPs
- communication - used in EOPs
- emergency lighting - used in EOPs

This is a Severity Level IV violation.

2. 10 CFR 50.65(b)(1) and (2) require, in part, that the scope of the monitoring program specified in Section (a)(1) shall include safety-related and non-safety related structures, system, and components (SSCs), as follows: (a) safety-related SSCs and (2) non-safety related SSCs: (i) that are relied upon to mitigate accidents or transients or are used in plant emergency operating procedures (EOPs); or (ii) whose failure could prevent safety-related SSCs from fulfilling their safety-related function; or (iii) whose failure could cause a reactor scram or actuation of a safety-related system.

Contrary to the above, as of March 17, 1997, for Unit 2, the facility failed to include the following SSCs within the scope of the maintenance rule:

- control rod element drive cooling system - used in EOPs
- containment auxiliary circulating system - used in EOPs

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- condenser air removal exhaust system - used in EOPs
- exciter air cooler system - scram or loss of safety-related function
- intake structure ventilation - scram or loss of safety-related function

This is a Severity Level IV violation.

Pursuant to the provisions of 10 CFR 2.201, Northeast Nuclear Energy Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Director, Special Projects Office, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania
this 8th day of May 1997.